OhioEPA
State of Ohio Environmental Protection Agenc
P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
(614) 644-3020 Fax (614) 644-2329

Richard F. Celeste
Governor

November 20, 1989

CLOSURE PLAN DISAPPROVAL
Issuance Date November 20, 1989
Effective Date December 20, 1989

CERTIFIED MAIL

Re: Closure Plan
Granville Solvents, Inc.
OHD 004 495 412 / 01-45-0310

Mr. John E. Reeb
Granville Solvents, Inc.
P. O. Box 300
Palmer Lane
Granville, Ohio 43203

Dear Mr. Reeb:

On March 17, 1989, Granville Solvents, Inc. submitted to Ohio EPA a closure plan for five (5) underground storage tanks and a container storage area located on Palmer Lane, Granville, Ohio. The closure plan was submitted pursuant to Rule 3745-66-12 of the Ohio Administrative Code (OAC) in order to demonstrate that Granville Solvents, Inc. proposal for closure complies with the requirements of OAC Rules 3745-66-11 and 3745-66-12.

The public was given the opportunity to submit written comments regarding the closure plan of Granville Solvents, Inc. in accordance with OAC Rule 3745-66-12. The public comment period extended from April 3, 1989, to May 9, 1989. No comments were received by Ohio EPA in this matter.

Based upon review of the company's submittal and subsequent revisions, I conclude that the closure plan for the hazardous waste facility at Granville Solvents, Inc. does not meet the performance standard contained in OAC Rule 3745-66-11 and does not comply with the pertinent parts of OAC Rule 3745-66-12.

The closure plan submitted to Ohio EPA by Granville Solvents, Inc.is hereby disapproved (see Attachment A).

You are notified that this action of the Director is issued as a proposed action pursuant to ORC Section 3745.07. This action will become final on the effective date indicated unless you or an objector files an appeal requesting an adjudication hearing within thirty (30) days of the date of issuance of this action. The adjudication hearing will be conducted in accordance with OAC Chapter 3745-47. The request for a hearing shall specify the issues of fact and law to be contested. Requests for hearings shall be sent to: Ohio Environmental Protection Agency, Hearing Clerk, 1800 WaterMark Drive, P.O. Box 1049, Columbus, OH 43266-0149.

A modified closure plan addressing the deficiencies enumerated in Attachment A must be submitted to the Director of the Ohio EPA for approval within thirty (30) days of the receipt of this letter in accordance with OAC 3745-66-12. The modified closure plan should be submitted to: Ohio Environmental Protection Agency, Division of Solid and Hazardous Waste Management, Attn: Thomas Crepeau, Manager, Data Management Section, P.O. Box 1049, Columbus, Ohio 43266-0149. A copy should also be sent to: Clifford J. Morton, Central District Office, 2305 Westbrooke Drive, Building C, Columbus, Ohio 43228.

Sincerely,

Richard L. Shank, Ph.D.
Director

RLS/RM/ps
1992U/1-2

cc: Thomas Crepeau, DSHWM Central File, Ohio EPA
Lisa Pierard, USEPA, Region V
Joel Morbito, USEPA, Region V
Clifford J. Morton, CDO, Ohio EPA
Steve Rath, CDO, Ohio EPA
Randy Meyer, DSHWM, Ohio EPA
Pam Allen, DSHWM, Ohio EPA

ATTACHMENT A

In general the closure plan should be in a binder. Provide an outline and Table of Contents. All maps, figures, blueprints, etc. should be included and properly referenced. The closure plan pages should be dated.

The closure plan does not contain many items previously submitted to the Ohio EPA (i.e., from a previously submitted closure plan and Part B application). This should be a "stand alone", independent document; however, it is not.

1. Description of Facility: Pursuant to 40 CFR 265.112 and OAC 3745-66-12, the plan shall include:

   - A more detailed description of the facility's activities (i.e., what was the facility's functions and products produced). Also, describe the size of the facility the property boundaries and its location in regard to surrounding properties.

   - The closure plan does not adequately describe emergency controls and monitoring activities necessary to ensure compliance with the performance standard. Detailed descriptions of run-on and run-off controls to be put in place during closure and the collection system for decontamination wastewaters need to be added to the plan. Revise the closure plan to include these activities.

2. Description of Waste Management Units To Be Closed: Pursuant to 40 CFR 265.112 and OAC 3745-66-12, the plan shall include:

   - A statement identifying the active use of the hazardous waste storage Tanks 1, 2, 3, 4, 12 and 5, 13, 14, 15, and the hazardous waste container storage building (HWCSB). Include the initial and final date of operation of all tanks and HWCSB.

   - A statement addressing whether Tanks 5, 13, 14 and 15 were certified closed by an independent, registered, professional engineer and the owner/operator of the facility.

   - Detailed blueprints of hazardous waste storage Tanks 1, 2, 3, 4, 5, 12, 13, 14 and 15 that show dimensions, construction details and all ancillary equipment that was associated with these tanks. (Please note: ancillary equipment includes pipings, fittings, valves, flanges, pumps and any other equipment used to distribute or regulate the flow of hazardous waste from its point of receipt or generation to a storage or treatment tank).

   - A statement describing what was done with the ancillary equipment associated with excavated hazardous waste storage Tanks 5, 13, 14 and 15 (i.e., was the equipment decontaminated, disposed of or is it still on site?).

   - Detailed blueprints of the hazardous waste container storage building. Provide construction details (e.g., materials and dimensions). Provide details about the floor pits including the dimensions, construction and purpose. Provide details of any underground piping connecting these pits.

- A statement describing the results of any integrity tests that were performed on Tanks 1, 2, 3, 4, 5, 12, 13, 14 and 15. Include documentation from the testing company showing that these tanks were tight.

- A statement addressing the integrity of the concrete floor inside the HWCSB.

- A statement addressing all spills and releases of hazardous waste from all tanks and containers at the facility. Provide information on specific releases from both the Tank Area and HWCSB.

- A statement that references all tanks and the HWCSB to a line number on the Part A application.

3. Map of Facility: Pursuant to 40 CFR 265.112 and OAC 3745-66-12, the plan shall include:

   - A topographic map plus a more detailed map or diagram of the facility with each hazardous waste management unit clearly located and identified. Map scale shall be specified and include a North arrow.

4. Detailed Drawing of Unit to Be Closed: Pursuant to 40 CFR 265.112 and OAC 3745-66-12, the plan shall include:

   - A blueprint drawing clearly showing the dimensions of all tanks, buildings and other structures in the vicinity.

5. List of Hazardous Waste: Pursuant to 40 CFR 265.112 and OAC 3745-66-12, the plan shall include:

   - A complete, detailed list of hazardous wastes (identified by chemical name and U.S. EPA hazardous waste number) that were stored in the hazardous waste storage tanks and the hazardous waste container storage building. Include the maximum amount for each waste stored.

6. Schedule for Closure: Pursuant to 40 CFR 265.113(a) and OAC 3745-66-13(A), the plan shall include:

   - A statement addressing how many days it will take to complete each individual task.

   - The schedule should be revised to reflect a starting date that coincides with closure plan approval granted by the Director of Ohio EPA.

   - A statement identifying the dates when an independent, registered, professional engineer or his representative will be present during closure.

   - A statement indicating that Ohio EPA, DSHWM, CDO, will be contacted at least five (5) days in advance of all crucial closure activities.

- A statement indicating that if a time extension is required to complete closure it must be submitted to the Director of the Ohio EPA for approval.

7. Air Emissions: Pursuant to 40 CFR 265.111 and OAC 3745-66-11, the plan shall include:

   - A statement specifying how air emissions will be minimized or be eliminated during closure (i.e., pumping of the hazardous waste storage tanks and any release, including fugitive dust, created during soil and tank removal.

8. Personnel Safety and Fire Prevention: Pursuant to 40 CFR 265.111 and OAC 3745-66-11, the plan shall include:

   - A health and safety plan detailing specific measures to be taken for personnel during the closure of the tanks and HWCSB. These measures must address personnel decontamination during closure efforts and include levels of protection for clothing and respirators including SCBA use and under what conditions they shall be used. Also identify triggers for enacting each level of protection. What monitoring measures will be used as to safe guard site workers and the general public during closure activities?

9. Decontamination Effort: Pursuant to 40 CFR 265.114 and OAC 3745-66-14, the plan shall include:

   Specific Guidance for Tanks:

   - A statement indicating that all tanks (i.e., 1, 2, 3, 4, 5, 12, 13, 14 and 15), including their ancillary equipment, shall be "clean closed" as part of the closure requirements for tanks.

   - The closure plan indicated "several ways" to clean the tanks. However, the closure plan shall describe in detail which procedure(s)/methods will be used.

   - Potable water shall be used to power wash tanks and their ancillary equipment. Give an estimate of waste material generated from the decontamination process.

   - A statement indicating that rinseate collected from the cleaning of all tanks referenced above, their ancillary equipment, and any other equipment that may be used during decontamination shall be analyzed for any RCRA hazardous constituent representative of the waste stored in these tanks. These tanks and ancillary equipment shall not be considered decontaminated (clean) until the final rinseate does not exceed the public drinking water maximum contaminant levels (MCL) for any hazardous waste constituent. If an MCL has not been promulgated for the constituent of concern, the maximum contaminant level goal (MCLG) shall be used. If the MCLG is less than the contaminants' analytical detection limit using methods found in SW-846, then the SW-846 analytical detection limit shall be used as the clean standard. However, if neither an MCL nor an MCLG has been promulgated, then 1 mg/l shall be used as the clean standard.

Specific Guidance for the Hazardous Waste Container Storage Building (HWCSB:

- An explicit statement addressing decontamination efforts for the HWCSB. Specify the methods used (i.e., what procedure(s) will be used to decontaminate the concrete pad and the building structure). Decontamination efforts for each unit shall not cease until the clean level has been met.

- Potable water shall be used to power wash the pad and building structure. Give an estimate of waste material generated from the decontamination process.

- A statement indicating that rinseate collected from the cleaning of the HWCSB shall be analyzed for all hazardous constituents representative of the wastes stored in the HWCSB. The HWCSB shall not be considered decontaminated ("clean") until the final rinseate does not exceed the public drinking water maximum contaminant levels (MCL) for any hazardous waste constituent. If an MCL has not been promulgated for the constituent of concern, the maximum contaminant level goal (MCLG) shall be used. If the MCLG is less than the contaminant's analytical detection limit using methods found in U.S. EPA Publication SW-846, the SW-846 analytical detection limit shall be used as the clean standard. If neither an MCL nor an MCLG has been promulgated, then 1 mg/l shall be used as the clean standard.

General Guidance for Both Tanks and the HWCSB:

- The closure plan shall include well documented historical records identifying all hazardous wastes ever stored in all tanks and the HWCSB. This is necessary to determine the constituents of concern. The hazardous constituents identified from these records are to be used to identify contaminants that may be detected in/at these units. If records do not exist, then an Appendix IX scan must be performed.

- Rinseate exceeding the above criteria for hazardous waste constituents derived from listed RCRA regulated waste or meeting one of the characteristics of a hazardous waste shall be managed as a hazardous waste. Other rinseates generated during decontamination operations shall be managed in compliance with all State and Federal Water Pollution Control Laws.

- A waste management plan detailing efforts taken to manage any material (e.g., soil, rinseate, washings, gravel, asphalt and concrete) that would require handling as a hazardous waste.

- Delineate the work zones to be used in the closure and decontamination areas.

- A statement indicating that soil scraped from decontamination equipment and tools will be evaluated for contamination (Refer to Deficiency No. 10).

10. "Clean" Levels for Soil: Pursuant to 40 CFR 265.111 and OAC 3745-66-11, the plan shall include:

- A clean level for naturally occurring elements in the soil. The plan shall use one of the following methodologies to evaluate contamination from naturally occurring RCRA regulated compounds:

  (1) concentrations in the soil exceed the mean of the background samples plus two standard deviations; or (2) concentrations in the soil exceed the upper limit of the range for Ohio farm soils (See Attachment B). If Granville Solvents, Inc. elects to pursue Option No. 1, sixteen (16) background sampling points shall be collected. These points shall be selected to represent an area not directly affected by any waste activities. All points and sampling data from these points shall be reviewed and approved by the Ohio EPA.

- Analyses must be for total metals and background samples shall be taken from soil depths and soil horizon materials similar to those of the potentially contaminated areas.

- Establish a clean level for soils containing RCRA regulated compounds not naturally occurring in soils. The soil shall be considered to be contaminated if RCRA regulated compounds not naturally occurring are present above analytical detection limits using methods in U.S. EPA's Publication SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods."

- The plan refers to the "cleanliness criterion" as a clean level. The closure plan should be explicit in stating what this is.

- The criterion for the decision to excavate soil beneath the tanks and from other areas containing any non-naturally occurring RCRA regulated compound shall be based upon the presence of these compounds in the soil above analytical detection limits using methods in U.S. EPA Publication SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods". Soils determined to have these compounds in concentration above analytical detection limits shall be managed as hazardous waste.

- The closure plan refers to an Area E to be sampled; however, the site plan does not indicate where this area is located. (Refer to Deficiency No. 11)

11. Sampling Plan and Analytical Methods: Pursuant to 40 CFR 265.111 and OAC 3745-66-11, the plan shall include:

- Clearly marked figures. Reference is made to Figures 1, 2, and 4; However, these figures are not clearly labeleld. Also, identify Area E on the "site plan".

- The grid system provided in the closure plan failed to include all the hazardous waste management areas. The sampling plan should be expanded to include the following hazardous waste management areas: Area B including sampling points that will be used beneath Tanks 1,

2 and 3 after excavation; the still area; loading/unloading dock on the southside of the HWCSB; and tank storage area identified as the present location of excavated tanks No. 5, 13, 14, 15, including two (2) other tanks which are directly south of Area D/southeast of the HWCSB.

Sampling locations are determined by setting up a grid system and using a random number table to select sampling locations as described in U.S. EPA Publication SW-846. Discrete samples shall be taken at each selected grid sampling node. Two (2) samples shall be taken at each interval. The first sample shall be 0 - 6 inches in depth and 6 - 12 inches in depth for the second sample. The samples are not to be composited between depths or between nodes.

- When doing the preliminary testing using Soil Gas Analysis procedure(s), one sample should be taken for each sampling node. However, the final determination of whether a sample is clean or not shall be based on SW-846 test methods, not on soil gas analysis.

- The sampling plan shall include the following information:

  - Parameters to be analyzed;

  - Specific locations of samples (both surface and depths). Sampling locations shall be clearly marked and referenced on Figures 2 and 4;

  - Analytical methods; and

  - Evidence of a quality assurance/quality control plan for laboratory analyses.

- Parameters will not only be based on knowledge of the wastes managed in all the tanks and containers but should include other hazardous constituents used and/or generated at the facility.

- In the event a grid sampling node falls upon a gravel covered area, the soil layer lying directly beneath the gravel will be tested to determine contamination. If contamination is detected, then the soil and the overlying gravel will be removed as hazardous waste.

12. Description of Removal Efforts:

- The plan must specifically address all wastes present and any generated during closure. Describe in detail how rinseate generated during closure shall be collected, stored, transported and disposed.

- Identify which TSD facilities are to be used. Include their addresses and EPA ID number.

13. Description of Equipment Cleaning: Pursuant to 40 CFR 265.112 and OAC 3745-66-14, the plan shall include:

- A detailed description of decontamination for the equipment and any structure if it is to remain on site. The following items shall be addressed:

- Procedures to prevent contamination of clean areas and equipment;
- Table of heavy equipment and personnel protective equipment with appropriate decontamination methods and schedules;
- A map showing the layout of the work area(s) with the various decontamination zones;
- Estimate of amount of contaminated rinseate and wash water, contaminated soil, and contaminated residues from personnel protective equipment expected to be generated;
- Description of measures to collect, contain and handle decontamination residues;
- Emergency decontamination procedures.

- A statement indicating that soil scraped from equipment and tools will be tested for naturally occurring compounds and for those compounds not naturally occurring. Soils exceeding the "clean" levels as specified in Deficiency No. 10 shall be managed accordingly.
- Rinseate collected from the cleaning of equipment and tools shall be evaluated for contamination and managed accordingly. (See Deficiency No. 9)

14. Certification: The plan shall include:

- All full closures of hazardous waste management units must be certified by both the owner/operator and an independent, registered, professional engineer. The closure plan must include a statement acknowledging this requirement. Certifications must be submitted within 60 days of completion of closure.
- The owner/operator's and independent registered professional engineer's certifications of closure must follow the signature requirements found in OAC 3745-50-47. The owner/operator certification statement must include the exact wording found in OAC 3745-50-42(D).

15. Status of Facility After Closure: Pursuant to 40 CFR 265.112 and OAC 3745-66-12, the plan shall include:

- A statement that clearly states the status of the hazardous waste facility after closure is complete.

MEMORANDUM

TO: Tom Crepeau, DSHWM

FROM: Alan L. Lapp, Chief Hearing Examiner

SUBJECT: Granville Solvents,
Case No. 89-HW-081

DATE: January 29, 1990

We have received the attached adjudication hearing request regarding:

Granville Solvents
Proposed disapproval of closure plan
OHD 004 495 412/01-45-0310

Please forward to the Hearing Clerk, Ohio EPA Legal Records Section, one copy of each of the following documents, as applicable. These copies must be received by the Legal Records Section by February 12, 1990.

- Permit Application
- Draft Permit
- Fact Sheet
- Public Comments
- Correspondence Regarding Application or Proposed Action
- Documents Filed by Applicant in Support of Application
- Documents Prepared by Ohio EPA in Support of Proposed Action

A prehearing conference in this matter has been scheduled for March 1, 1990. In the meantime, please direct any questions to Libby Bohanon, Office of Legal Services, 4-3037.

Attachment

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:	:	Case No.: 89-1[illegible]
	:	
Granville Solvents, Inc.	:	
3620 North High Street	:	
Columbus, Ohio 43214	:	Hearing Examiner:

REQUEST FOR ADJUDICATION

Granville Solvents, Inc. ("GSI") hereby requests an adjudication hearing pursuant to Ohio Revised Code Chapters 3745 and 119 and Ohio Administrative Code Chapter 3745-47 on the proposed disapproval by the Director of Environmental Protection ("Director") of the Closure Plan submitted by GSI for its underground tank and drum storage area (OHD 004 495 412). The Director issued the proposed disapproval on November 20, 1989 indicating that the action would become final on its effective date, December 20, 1989 unless an adjudication hearing is requested within 30 days, or by December 20, 1989. Attached as Exhibit A is a copy of the proposed disapproval.

INTRODUCTION

At its Granville, Ohio facility, GSI operated a storage area for the storage of drums of hazardous waste and five underground tanks for storage of bulk hazardous waste. This storage area has an Ohio EPA hazardous waste permit and is managed as a container and tank storage facility pursuant to applicable federal and state interim status standards. Hazardous waste solvents and sludges are stored in the storage

area in 55 gallon drums inside a locked building with a concrete floor. The underground tanks contain certain waste sludges.

On March 17, 1989, GSI submitted a Closure Plan to U.S. EPA and Ohio EPA pursuant to OAC 3745-66.

On November 20, 1989, the Director proposed to disapprove the Closure Plan. GSI objects to the Director's grounds for disapproval for the reasons set forth below.

OBJECTIONS TO THE DIRECTOR'S PROPOSED DENIAL AND ISSUES FOR HEARING

In Attachment A to his proposed denial, the Director alleged certain deficiencies in GSI's Closure Plan. OAC 3745-66-11 provides the requirements for Closure of any hazardous waste facility:

> The owner or operator shall close his facility in a manner that:
>
> (A) Minimizes the need for further maintenance;
>
> (B) Controls, minimizes, or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground water, or surface waters, or to the atmosphere; and
>
> (C) Complies with the closure requirements of Rules 3745-66-10 to 3745-66-20, 3745-66-97, 3745-67-28, 3745-67-58, 3745-68-10, 3745-67-80, 3745-68-50, 3745-68-10, and 3745-69-04 of the Administrative Code.

GSI's Closure Plan satisfies these requirements. The Director's stated grounds for denial are superfluous, not cost-

effective, inconsistent with the Ohio EPA's own regulations, unlawful and/or unreasonable.

GSI contends that its Plan meets the performance standards contained in OAC 3745-66-11 and that it complies with the pertinent parts of OAC 3745-66-12 and 3745-66-18. Specifically, GSI avers that each of the Director's alleged deficiencies listed on Attachment A to the proposed denial are without merit and that its Closure Plan, as submitted, meets the referenced Ohio EPA regulations.

For the reasons set forth above, GSI asserts that the Director erred in his determination that the various above-described points set forth in Attachment A require disapproval of the Plan as submitted. Accordingly, the Director's proposed disapproval of the Plan on the basis of these various points constitutes an abuse of discretion and is arbitrary, capricious and in violation of law.

The issues of fact and law to be considered are as follows:

(1) Whether the Closure Plan submitted by GSI on March 17, 1989 meets the performance standards contained in OAC Rule 3745-66-11, and whether it complies with the pertinent parts of OAC 3745-66-12 and 3745-66-18.

(2) Whether the Director's proposal to disapprove the Closure Plan is unlawful, unreasonable, arbitrary, capricious or an abuse of discretion for the Director to disapprove GSI's Closure Plan in view of the objections set forth above.

(3) Whether the Director failed to follow lawful procedures in proposing to disapprove GSI's Closure Plan.

GSI reserves the right to raise additional objections and identify further issues prior to hearing of this matter.

WHEREFORE, GSI requests an adjudication hearing in the above-described matter.

Dated December 20, 1989

Respectfully submitted,

JAMES F. ALLEN
SQUIRE, SANDERS & DEMPSEY
155 East Broad Street
Columbus, Ohio 43215
(614) 365-2702

Counsel for Granville Solvents, Inc.